

## **REMARKS/ARGUMENTS**

This is in response to the Examiner's Office Action dated June 9, 2006. The Applicant therefore submits that this response is timely filed.

### **Summary of Telephone Discussion with the Examiner**

The Applicant contacted the Examiner on June 22, 2006 and June 26, 2006 to discuss the possibility of amending claims 1 and 29 by incorporating the features recited in claims 11 and 39 respectively, thereby making claims 1 and 29 allowable and retaining claims 2-10 and 30-37. The Examiner agreed with these claim amendments, as well as allowing claims 1-10 and claims 30-37 after claims 1 and 29 are amended.

The Examiner also requested that the Applicant review the claims that are currently pending to ensure that there are no typographical or antecedent errors. The Applicant has reviewed the claims for these errors and has made appropriate claim amendments which are described in more detail below.

### **Claim Amendments**

By this response, claims 1, 8-9, 12-15, 26-27, 29, 36, 39-41, and 50-51 have been amended. Claims 11, 16-23, 38, and 42-48 have been cancelled without prejudice. Accordingly, there are currently 35 claims pending for this application.

Claim 1 has been amended to include the subject matter of claim 11. Accordingly, claim 11 has been cancelled without prejudice, and claims 12 and 15 have been amended to depend from claim 1.

Claims 8 and 9 have been amended to correct antecedent issues. As a result of the amendment to claim 1, the first line of element (d) of claim 8 has been amended to recite a "second input signal" rather than an "input signal". The second and fourth lines

of element (f) of claim 8, and the second line of claim 9 have been amended in a similar fashion.

Claim 8 has also been amended to correct typographical errors. The second lines of elements (d) and (e) of claim 8 have been amended to recite the term "environmental correlates" rather than "environment correlates". Support for the term "environmental correlates" is in claim 9 as filed.

Claim 13 has been amended to correct typographical errors. The parameter " $w_j$ " has been replaced with the parameter " $w_{ij}$ " in the formula for  $G_i$  and in the fourth line of claim 13. In addition, the term "frequency band j" has been replaced by the term "frequency band i" in the fifth line of claim 13. Support for this claim amendment is in paragraph 68 on pages 28 and 29 of the application as filed.

Claim 14 has been amended to correct typographical errors. The parameter " $W_j$ " has been replaced with the parameter " $W_i$ " on the second line of claim 14. The parameter " $w_{ii}$ " has been replaced with the parameter " $w_{ij}$ " in the fourth line of claim 14. Support for this claim amendment is in paragraph 69 on page 29 of the application as filed.

As a result of the election of claims, claims 16-23 have been cancelled without prejudice.

Claims 26 and 27 have been amended in a similar fashion as claims 13 and 14, respectively.

Claim 29 has been amended to include the subject matter of claim 38. Accordingly, claim 38 has been cancelled without prejudice, and claims 39, 40 and 41 have been amended to depend from claim 29. The third line of claim 29 has also been amended to replace the text "one of channels" with the text "one of the channels".

Claim 36 has been amended in a similar fashion as claim 8.

Claims 39 and 40 have been amended in a similar fashion as claims 13 and 40, respectively.

Claims 50 and 51 have been amended in a similar fashion as claims 13 and 40, respectively.

### **Elections/Restrictions**

In the Office Action, the Examiner stated that this application is in condition for allowance except for the presence of claims 1 through 10, 16 through 23, 29 through 37 and 42 through 48 directed to an invention non-elected with traverse in the Applicant's reply filed on May 10, 2006. The Examiner stated that claims 11 through 15 and 38 through 41 depend from independent claims drawn to a non-elected invention, but would be allowable if claims 11 and 38 were rewritten in independent form including all elements of the claims 1 and 29, respectively.

As noted in the Summary of Telephone Discussion with the Examiner, the Applicant has amended claims 1 and 29 to include the subject matter of claims 11 and 38, which the Examiner considers allowable. Accordingly, claims 11 and 38 were cancelled without prejudice and claims 1-10, 12-15, 29-37 and 39-41 should be allowable as indicated by the Examiner during the telephone discussion. Furthermore, claims 16-23, and claims 42-48 have been cancelled without prejudice.

### **Allowable Subject Matter**

The Applicant respectfully reminds the Examiner that, in sections 4-8 of the Office Action, the Examiner stated that claims 24-28 and 49-52 contain allowable subject matter.

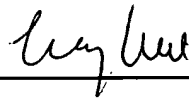
Appl. No. 10/733,451  
Amdt. dated July 5, 2006  
Reply to Office action of June 9, 2006

**Conclusion**

The Applicant respectfully submits that the application is now in condition for allowance. Should the Examiner believe anything further is desirable in order to place the application in better condition for allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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